

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:09cv166**

<b>CYNTHIA LOUISE FISCHER,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>vs.</b>	)
	)
<b>MICHAEL J. ASTRUE,</b>	)
<b>Commissioner of Social Security,</b>	)
	)
<b>Defendant.</b>	)
	)

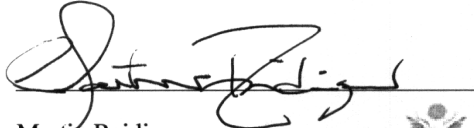
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**J U D G M E N T**

For the reasons set forth in the Memorandum and Order filed herewith,

**IT IS, THEREFORE, ORDERED** that the Magistrate Judge's Memorandum & Recommendation is **ACCEPTED**, Plaintiff's Motion for Summary Judgment is **DENIED**; the Defendant's Motion for Summary Judgment is **GRANTED**; and the Commissioner's decision is hereby **AFFIRMED**. This case is hereby **DISMISSED WITH PREJUDICE**.

Signed: August 12, 2010

  
Martin Reidinger  
United States District Judge

